

**BOROUGH OF NORTHVALE
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT**

November 4, 2020

7:30 P.M.

Zoom Meeting ID: 453 996 0939

Password: 4Qz3LR

Phone in Number: 1 646 558 8656

Meeting ID: 453 996 0939

Password: 785974

MINUTES

CALL THE MEETING TO ORDER

Chairman Amorosso called the meeting to order at 7:30 PM in the Borough Hall Office located at 116 Paris Avenue, Northvale, New Jersey 07647. Meeting included Board Members, and was open to members of the public using the Zoom virtual platform.

STATEMENT

Chairman Amorosso read the "Sunshine Statement" into the record as follows:

"This is a regularly scheduled meeting of the Combined Planning Board/Board of Adjustment of the Borough of Northvale. The date, time and location of this meeting has been advertised in the official newspaper of the Borough, filed with the Acting Borough Clerk, and posted on the bulletin board in the Municipal Building. All notice requirements of Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law"

ROLL CALL:

PRESENT: Chairman Amorosso, Mr. Giannotti,
Mr. Vollmer, Councilman Devlin, Mr. Sillery, Mr. Hogan (Alternate #1)
Mr. Pothos (Alternate #2)
Mr. Degen (Alternate #3) Mr. Briscoe (Alternate#4)

PRESENT VIRTUALLY: Mayor Marana, Mr. DeLaura,
Mr. Moran

ABSENT: Mr. Guyt

ALSO PRESENT: Gregg Paster, Board Attorney, Chris Dour, Borough Engineer (Present Virtually) & Nicole Cowley, Board Secretary

REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING

APPLICATION OF JOHN VERDIGI
191 LIVINGSTON STREET
BLOCK 816 LOT 6

USE VARIANCE APPLICATION

This meeting began with Chairman Amorosso opening the meeting with congratulatory sentiments towards Northvale Councilman elect, John M. Hogan and Mr. DeLaura's daughter Jennifer DeLaura-Venditti to the Northvale BOE.

Chairman Amorosso then proceeded to introduce the first application that is coming before the Board, requesting a use variance. Mr. Moran took the opportunity to relay for the record, he would be recusing himself as he had received notice he was within 200 feet of this property. Chairman Amorosso added, Councilman Devlin and Mayor Marana would also be recusing themselves from the application being heard as well. Mr. Verdigi stated his name and address for the record. At this time, Attorney Paster swore Mr. Verdigi in. Mr. Verdigi began to state his case at this time. Mr. Verdigi proceeded to explain the history and ownership of the property in detail. He also explained from his perspective the history of the property being used as a two family that included being granted permission of the property being used as such. Mr. Verdigi stated he was also issued a permit as well. In addition to this statement, Mr. Verdigi also stated he was informed by Northvale officials, as of recent, he could not use the unit downstairs as his own personal apartment and he would need to come before the Board for a use variance in order to do so. Mr. Verdigi explained his hardships as well as his need to use this unit in the event he needs to move back to town for health care assistance. Attorney Paster took the opportunity to state for the record, Mr. Verdigi's noticing of those within 200 feet were verified and accepted. Chairman Amorosso asked Mr. Verdigi to confirm his understanding of this property being an undersized lot to begin with. There was some difficulty with Mr. Verdigi hearing the Chairman which resulted in Mrs. Verdigi interjecting. Chairman Amorosso requested Mrs. Verdigi be sworn in, in order for her to provide testimony. Attorney Paster swore in Frances Verdigi at this time. The question of this being an undersized lot was asked again. Mr. Verdigi confirmed it was and stated he gained approval for the undersize in 1980 which allowed for the house to be built t

on the 55 foot lot. He stated the paperwork was sent to the Board. Chairman Amorosso stated that was for the approval of a single family home. Both Mr. and Mrs. Verdigi confirmed; at the time, this was correct. Chairman Amorosso asked when it became a two family. Mr. Verdigi stated this was a one family with two units and was approved as such in 1981. Chairman Amorosso explained to the Verdigi' s there is no documentation to substantiate this. Mr. Verdigi explained he had a file with all this documentation but is unable to locate it and due to the COVID-19 virus and his health he is unable to fly to NJ from Florida to try and locate this documentation. Chairman Amorosso explained he must provide documentation or there is nothing the Board can do. Chairman Amorosso asked for input from the Board and Mr. Giannotti responded to Mr. Verdigi reiterating the problems included, specifically; not having the documentation to support his request for variance. Mr. Verdigi proceeded to continue to explain the usage history. Mr. Giannotti asked why Mr. Verdigi did not to respond to a previously sent letter from the zoning officer stating the property was an illegal two family home, Mr. Giannotti added, he was looking at the copy of the letter in front of him at this time. Mr. Verdigi stated he never got it. Mr. Verdigi continued to state his hardships and Chairman Amorosso said he needed to produce documentation and there was not much the Board could do unless this be provided. Mr. Giannotti reiterated the same. Mr. Verdigi asked again for the Board to allow this and he would agree to stipulations. Chairman Amorosso explained this could not be done for him and not any other resident that could potentially ask for the same thing. Again, Chairman Amorosso asked for Mr. Verdigi to locate certification to support his requests and until then, the application would be left open. Mr. Verdigi continued to provide testimony and requested the Board work with him to approve this application. Mr. Giannotti further explained the need for documentation to approve this application which would need to coincide with the testimony Mr. Verdigi was providing. Mr. Sillery commented he agreed with the Chairman and the Vice Chairman and provided his reasons why, this included Mr. Verdigi not addressing this issue when communications were sent to him previously and only addressing it now for personal use. Following this discussion, Chairman Amorosso asked Mr. Verdigi if he would like the Board to vote on this application or continue it, in the hopes Mr. Verdigi would be able to locate his documentation and come back before the Board at a later time. Mr. Verdigi continued to request the Board allow his application be considered for approval, possibly to include a stipulation he cannot sell this property as a two family. Chairman Amorosso further explained, legally; that is not an option. The chairman continued to ask if Mr. Verdigi wanted this application to be kept open, or go to a vote. Mrs. Verdigi interjected her feelings and requested the Board work with them. Mr. Giannotti expressed his sympathies but reiterated there was nothing they could do at this time and needed proof of documentation. Mr. Verdigi continued to state his case and thoughts. At this time, Mr. Verdigi agreed to allowing this application to be continued. Chairman Amorosso stated for the record this application will remain open and Mr. Verdigi can come back before the Board, provided he locate the documentation that is required. Attorney Paster stated for the record, Mr. Verdigi required a date for his next appearance or he would be required to notice again. No date could be given at this time so the applicant will be required to re-notice in order for him to come before the Board again.

APPLICATION OF JOHN FINAN BUILDERS, LLC
412 TAPPAN ROAD
BLOCK 806 LOT 8

APPLICATION FOR SUBDIVISION APPROVAL WITH
VARIANCE

Dean Stamos began this application by introducing himself and stating he was present on behalf of the applicant, John Finan of John Finan Builders, LLC, the owner of the property. Attorney Paster was asked to certify the noticing documents which were sufficient and accepted. Attorney Stamos proceeded to explain the specifics of this property including the lot size and details.

Attorney Stamos explained the property as an oversized lot that the applicant is seeking to subdivide into two lots, each having over ten thousand square feet, which is over the required seven thousand, five hundred. The property is deficient in lot width by four feet, three inches for each lot. Attorney Stamos stated he had with him; Engineer, Mark Martins and Professional Planner Harry Tuvel who will be providing testimony for the variance relief.

At this time, Attorney Paster swore in Engineer Mark Martins who stated his address and qualifications to testify on behalf of this application. Attorney Paster verified for the record Mr. Martins has appeared before this Board many times and is considered qualified to testify as an expert engineer. Mr. Martins prepared the sub division plan which Mr. Martins provided visually as well. Mr. Martins began by explaining the location of the property on Tappan Rd in detail and discussed the property as it is now and proposed request to sub divide into two lots. The lots would be designated as lots 8.01 and lot 8.02. Testimony regarding sub divided lots was further discussed. Mr. Martins added the applicant will be complying with all Borough zoning ordinances required. Attorney Paster confirmed this as well. Proposed homes would also be compliant as well, this would also include storm water control management which would provide improvement to the property's drainage pattern. Site plans would be provided to Maser showing improvements and compliance. Mr. Martins also added this project will require County approval as it's considered a major sub division along with the property being located on a County Road. Chairman Amorosso asked Chris Dour if he had the opportunity to discuss this project with the applicant's engineer. Mr. Dour responded he did not but has reviewed the plans and at this time, everything is complaint other than the deficiency in lot width.

Chairman Amorosso then asked the Board if there were any questions. Mr. DeLaura asked a question regarding how many proposed bedrooms the houses would have in each unit. Mr. Martins answered by saying the developer has not come up with a floor plan as of yet. Mr. DeLaura asked about specifics of proposal related to the houses such as enough parking for a potential three or four bedroom house. Discussion pertaining to the houses and the plans continued. Mr. Martins explained all plans would be conforming. Mr. DeLaura expressed concern regarding approving this application not knowing specifics as to what would be built on it. Discussion regarding the applicant appearing before the Board requesting a variance for the subdivision is the first step, plans for housing would then be the next. Attorney Stamos added the applicant is proposing an approved use, which is a single family home on an oversized lot so there is more than sufficient room for the next steps, which would be plans for the homes. Each home would have a two car garage as well as room for two cars in a driveway. Attorney Stamos

asked Mr. Martins to confirm the property being subdivided would allow for the future homes to comply with all regulations to which Mr. Martins confirmed there is more than sufficient space to allow for these homes. Attorney Stamos added, if there was a need for relief they would come back before the Board but stated he was confident there would not be need for relief.

Further questions from the Board continued, Mayor Marana asked specific questions about the potential style of the homes. Chairman Amorosso requested the builder, who was present for the hearing speak on this.

Chairman Amorosso **opened the meeting** to the public for questions.

Frances Caloz, of Madeline's Petit Paris at 416 Tappan Road took the opportunity to express he is in favor of the splitting of the lots on his neighbor's property. Chairman Amorosso thanked him for his comment.

With no further questions or comments, Chairman Amorosso **closed the meeting** to the public.

Attorney Stamos informed the Board the Professional Planner was present and could provide testimony for the Board as well. Chairman Amorosso requested the builder, John Finan speak on behalf of the application, but would also like to hear from the Planner. Harry Tuval was sworn in by Attorney Paster and accepted as an expert Planner. Mr. Tuval confirmed he has reviewed the sub division plan created by Mark Martins as well as communications from Maser as well. Mr. Tuval continued to provide testimony further explaining the plan and rationale for the request of C-1 and C-2 variances, including any negative criteria but stating there was no substantial detriment whatsoever to this proposal based on his professional opinion. The lots are oversized and comply with any and all Borough guidelines.

Chairman Amorosso asked the Board if they had any questions for Mr. Tuval, to which there was not.

Chairman Amorosso **opened the meeting** to the public for questions.

With no questions or comments, Chairman Amorosso **closed the meeting** to the public.

Next, Attorney Stamos brought up John Finan, the applicant and owner of the application. John Finan stated his name and affiliation of the application and was sworn in by Attorney Paster. Attorney Stamos asked Mr. Finan to describe to the Board the style and type of home he plans on building on these two lots. Mr. Finan responded he would be building colonial style homes which are similar to most newer homes. This would include the homes being two stories, that include two car garages, wide driveways etc that would comply with all Borough ordinances. Mr. Giannotti confirmed with Mr. Finan there would be residential standards that would provide ample parking/driveway space. This was confirmed by the builder and Attorney. Mr. Moran asked a questions about the current retaining wall and whether it was structural or decorative. This was deferred to the engineer and explained by the engineer. Chairman Amorosso asked Chris Dour if he had any further questions and he did not have any at this time.

Chairman Amorosso **opened the meeting** to the public for questions.

With no questions or comments, Chairman Amorosso **closed the meeting** to the public.

At this time, Attorney Stamos offered his final statement that requested the Board act favorably on behalf of this application. Attorney Paster added this is a simple sub division that is considered to be major due to the need of the variance. These are oversized lots and notes all involved state they will be compliant with all regulations.

A motion to **approve** the application was made by Mr. Sillery, and seconded by Mr. Pothos

ROLL CALL: Mr. Giannotti, Mr. Vollmer, Chairman Amorosso, Mayor Marana,
Councilman Devlin, Mr. DeLaura, Mr. Moran, Mr. Sillery, Mr. Hogan (Alt #1)
Mr. Pothos (Alt#2) Mr. Degen (Alt#3)
Mr. Briscoe (Alt#4) – **YES**

APPROVAL OF RESOLUTION 20-15
251 UNION STREET
BLOCK 602 LOT 1

A motion to **approve** the Resolution was made by Mr. Giannotti, and seconded by Mr. Hogan

ROLL CALL: Mr. Giannotti, Mr. Vollmer, Chairman Amorosso, Mayor Marana,
Councilman Devlin, Mr. DeLaura, Mr. Moran, Mr. Sillery, Mr. Hogan (Alt #1)
Mr. Pothos (Alt#2) Mr. Degen (Alt#3)
Mr. Briscoe (Alt#4) – **YES**

APPROVAL OF RESOLUTION 20-16
McDONALD'S
240 LIVINGSTON STREET
BLOCK 303 LOT 11

A motion to **approve** the Resolution was made by Councilman Devlin, and seconded by Chairman Amorosso

ROLL CALL: Mr. Giannotti, Mr. Vollmer, Chairman Amorosso, Mayor Marana, Councilman Devlin, Mr. DeLaura, Mr. Moran, Mr. Sillery, Mr. Hogan (Alt #1) Mr. Pothos (Alt#2) Mr. Degen (Alt#3) Mr. Briscoe (Alt#4) – **YES**

APPROVAL OF MINUTES OF OCTOBER 7, 2020

A motion to **approve** the minutes of October 7, 2020 was made by Mayor Marana, and seconded by Mr. Hogan

ROLL CALL: All in Favor

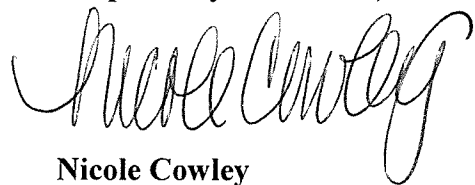
APPROVAL OF MINUTES OF OCTOBER 21, 2020

A motion to **approve** the minutes of October 21, 2020 was made by Councilman Devlin, and seconded by Mr. Pothos

ROLL CALL: All in Favor

A motion to **adjourn** the meeting at 8:23 PM was made by Councilman Devlin , seconded by Mr. Vollmer. All present in favor.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Nicole Cowley". The signature is written in a cursive, flowing style with a large initial "N".

**Nicole Cowley
Board Secretary**

Approved: 12/2/20